

Judge: TIMOTHY W. DORE  
Chapter: 7  
Hearing Date: December 6, 2013  
Response Date: November 29, 2013  
Time of Hearing: 9:30 a.m.

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

**No. 13-10561-TWD**

## THOMAS KILLION AND NICOLE NELSON

**Debtor.**

**TRUSTEE'S MOTION FOR ORDER  
APPROVING SALE OF REAL  
ESTATE FREE AND CLEAR OF  
LIENS AND ENCUMBRANCES,  
AUTHORIZING PAYMENT OF  
CLOSING COSTS, REAL ESTATE  
TAXES AND COMMISSIONS, FIRST  
LIEN HOLDER AND EXEMPTION  
TO DEBTORS AND NOTICE OF  
HEARING THEREON**

TO: THE CLERK OF THE COURT, CREDITORS, THE DEBTOR AND OTHER PARTIES  
IN INTEREST

PLEASE TAKE NOTICE that the hearing on this matter will be held on December 6, 2013, at 9:30 a.m. in Courtroom 8106 on the matters set forth below. Objections are due by the close of business November 29<sup>th</sup> 2013. If no objections are timely filed the hearing shall be stricken and an Order will be entered granting the relief sought.

MOTION TO APPROVE SALE OF REAL ESTATE FREE AND CLEAR OF LIENS,  
CLAIMS AND ENCUMBRANCES

The Trustee moves this Court for an Order approving a sale of the real property commonly known as 16328 27<sup>th</sup> Ave. NE Shoreline, Wa 98155 to James D. Hingtgen and Mary Ellen Finley, a married couple, for the sum of \$299,950.00

The property is legally described as:

LOT 19, BLOCK 2, LAKE CITY HOMES NUMBER 3, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 44 OF PLATS, PAGE(S) 57, RECORDS OF KING COUNTY, WASHINGTON.

**MOTION TO APPROVE SALE OF REAL ESTATE FREE OF LIENS ,  
CLAIMS ETC**

**Michael B. McCarty, Trustee**  
400 Warren Ave., Suite 411  
Bremerton, WA 98337  
(360) 377-2516

1 TAX PARCEL NO. 399690-0220-05  
2  
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4 There is one deed of trust on the property the beneficiary of which is JP Morgan Chase  
5 Bank National Association, its successors or assigns. The approximate amount owed on this  
6 deed of trust according to the bankruptcy schedules is \$62,000.00.

7 The sale will be FREE AND CLEAR of all LIENS and ENCUMBRANCES with any  
8 liens or encumbrances of record to attach to the proceeds of sale to the same extent and in the  
9 same priority as they attach to the real estate.

10 This is an arm's length transaction and the purchasers are purchasers in good faith.

11 The debtors are entitled to the Washington State homestead exemption in the amount of  
12 \$125,000.00 which the trustee proposes to disburse to the debtors at closing.

13 The Trustee also proposes to pay the real estate commission of 6% to Jim Myers and Re  
14 Max Realty to be split among buyer's and seller's agents as is customary in the industry. The  
15 Trustee also proposes to pay outstanding real estate taxes, excise tax, and other closing costs  
16 typically paid by a seller of residential real estate at closing. The Trustee also requests  
17 permission to pay utilities and clean up costs and other miscellaneous costs including  
18 homeowner association dues at closing from the buyer's premium if the lender will not allow  
19 payment from other funds at closing.

20 DATED this 9th day of November, 2013.

21 Law Offices of Michael B. McCarty  
22 /s/ Michael B. McCarty  
23 Michael B. McCarty, WSBA#  
24 13162 Trustee  
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MOTION TO APPROVE SALE OF REAL ESTATE FREE OF LIENS ,  
CLAIMS ETC

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